HON'BLE MR. JUSTICE GHULAM MOHAMMED

W.P.No.5925 of 1996

06-02-2006

Between:

N.Khaja Mohiuddin

… Petitioner

and

Divisional Manager,

APSRTC, Nellore Division,

Nellore, and two others.

…Respondents

HON'BLE MR. JUSTICE GHULAM MOHAMMED

W.P.No.5925 of 1996

ORDER:

The petitioner, in effect, seeks regularisation of his services from the date of his appointment in the respondent Corporation as Conductor with all consequential benefits.

Several writ petitions seeking similar relief were allowed following the judgment of the Division Bench of this Court directing the Corporation to regularise the services of the petitioners therein from the date of their initial appointment. Aggrieved thereby, the Corporation carried the matter to the Supreme Court in the case of DIVISIONAL MANAGER, APSRTC AND OTHERS Vs. P.LAKSHMOJI RAO wherein it was observed in para-18 of the judgment as follows:

> "18. In view of this peculiar situation and in order to avoid the anomalies that might otherwise ensue, while we hold that the respondent-employees have failed to establish their legal right to get the status of regular employees right from the date of their initial appointment on daily wage basis and the respective dates of regularisation assigned to the respondents cannot be legally faulted, we are inclined to mould the relief in modification of the directions given in the judgments under appeal and direct as follows:
>
> If any of the Conductors, junior to the respondents in the relevant seniority list of the concerned Division/Region, have got the benefit of seniority and regularisation OR are entitled to get the same by virtue of the judgments that have become final, then the respondents who are seniors to them, shall be given the same benefit on the same principle."

This Court had disposed of similar writ petitions vide W.P.Nos.16244 and 19125 of 1999; 19798 and 26764 of 2000; 8217 of 2001 and 8149 of 2003 by common order dated
18-08-2004, following the ratio laid down by the Supreme Court in the above referred decision.

Having regard to the facts and circumstances, this writ petition is also disposed of in terms of the aforesaid decision of the Supreme Court. No order as to costs.

06-02-2006

bsc